Amendments to and Listing of the Claims:

Please cancel claims 11 and 19-59, amend claims 1-3, 5-6, 8-10, 12-13 and 15-18 and add new claims 60-72 as follows:

1. (currently amended) A method of selectively inserting ~~different~~ unscheduled advertisements into a stream of television programming at different receiving nodes of a communications network, said method comprising ~~the steps of~~:

~~(1)~~(a) transmitting a stream of television programming from a ~~head-end~~ central location to ~~a plurality of~~ one or more receiving nodes;

~~(2)~~(b) storing unscheduled advertisements at a node of said network;

~~(3)~~(c) storing ~~a plurality of~~ one or more queues, each of said queues corresponding to a subset of said ~~plurality of~~ receiving nodes, said queues comprising an ordered list of advertisement resource locators (ARLs), each of said ARLs comprising data disclosing a location of a corresponding unscheduled advertisement~~, and each of said queues containing a different ordered list of ARLs~~;

(d) selling locations in said queues;

~~(4)~~(e) determining, at each of said receiving nodes, intervals in said stream within which ~~said~~ advertisements may be inserted;

~~(5)~~(f) responsive to said determination, retrieving from said queue corresponding to said receiving node one of said ARLs in accordance with said order; and

~~(6)~~(g) inserting said unscheduled advertisement corresponding to said retrieved ARL into said stream at said receiving node within said determined interval.

2. (currently amended) The method of claim 1 wherein said stream includes indicators that identify the start of an avail in said stream for insertion of an advertisement, ~~and~~ wherein step ~~(4) comprises~~ (e) includes detecting said indicators and wherein step ~~(6) comprises~~ (g) includes inserting said advertisement into said avail.

3. (currently amended) The method of claim 2 wherein said ~~indicator~~ indicators further ~~identifies~~ identify a duration of said avail and said ~~ARL~~ ARLs further ~~identifies~~ identify a duration of said corresponding ~~advertisement~~advertisements.

4. (original) The method of claim 3 wherein said order of said ARLs in said queue is based at least partially on said duration of said advertisements relative to said duration of avails detected in said stream.

5. (currently amended) The method of claim 4 further comprising ~~the steps of~~:

~~(7)~~(h) determining at least one characteristic of a viewer of said television programming; and

~~(8)~~(i) ordering said queue based at least partially on said ~~viewer determination~~at least one characteristic.

6. (currently amended) The method of claim 5 wherein ~~step (8) comprises ordering said queue in accordance with an algorithm that takes into consideration a prediction of a~~said at least one characteristic of the viewer is based on the content of the stream prior to said interval.

7. (original) The method of claim 1 wherein said queues are stored locally at said receiving nodes to which they correspond.

8. (currently amended) The method of claim 2 wherein step ~~(1) comprises~~ (a) includes receiving a plurality of channels of television programming and selecting one of said channels, ~~and~~ wherein step ~~(4) comprises~~ (e) includes detecting said avails in said selected channel and wherein step ~~(6) comprises~~ (g) includes inserting said advertisements ~~in~~ into said avails in said selected channel.

9. The method of claim 3 further comprising ~~the step of~~:

~~(12)~~(h) receiving at said receiving node instructions dictating how to order said ARLs in said queue~~: and~~,

wherein step ~~(3) further comprises~~ (c) includes ordering said queue in accordance with said instructions.

10. (currently amended) The method of claim 1 wherein step ~~(2) comprises~~ (b) includes storing said advertisements at said receiving node.

11. (canceled)

12. (currently amended) The method of claim 1 wherein step (d) includes ~~further comprising the step of: (14)~~ selling the locations in said queues to advertisers.

13. (currently amended) The method of claim ~~11~~ 1 wherein step ~~(13) comprises~~ (d) includes selling the locations in said queues based at least partially on a repetition rate within said queue of said sold locations.

14. (original) The method of claim 13 wherein said repetition rate is non-linear.

15. (currently amended) The method of claim 1 further comprising: ~~the step of (15)~~

(h) recording a portion of said stream for subsequent playback.

16. (currently amended) The method of claim 15 wherein step ~~(6) comprises~~ (g) includes inserting said advertisements into said stream as ~~it~~ the stream is being recorded.

17. (currently amended) The method of claim 15 wherein step ~~(6) comprises~~ (g) includes inserting said advertisements into said stream when ~~it~~ the stream is played back.

18. (currently amended) The method of claim 15 wherein step ~~(6) comprises~~ (g) includes inserting said advertisements into said stream between the time ~~it~~ the stream is recorded and the time ~~it~~ the stream is played back.

19-59. (canceled)

60. (new) A method of inserting unscheduled advertisements into a television programming stream in a communications network, the method comprising:

(a) transmitting said programming stream from a central location to a subscriber node;

(b) storing one or more queues at a node of the network associated with the subscriber, each of the queues comprising an ordered list of unscheduled advertisements;

(c) selling locations in the queues;

(d) detecting intervals in said programming stream within which advertisements may be inserted; and

(e) inserting unscheduled advertisements from the queues into said stream within said detected intervals, the advertisements being inserted in accordance with the ordered list.

61. (new) The method of claim 60 wherein the queues are independent of the programming stream.

62. (new) The method of claim 60 wherein the unscheduled advertisements in the queues are independent of the programming stream.

63. (new) The method of claim 60 wherein each of the one or more queues is associated with a channel in the programming stream.

64. (new) The method of claim 60 wherein step (a) includes transmitting a plurality of channels within the programming stream and selecting one of said channels, and wherein step (e) includes inserting the unscheduled advertisements a queue associated with the selected channel into the detected intervals in the selected channel.

65. (new) The method of claim 60 wherein the queues are stored at the subscriber node.

66. (new) The method of claim 60 wherein the locations in are queues sold to advertisers.

67. (new) The method of claim 60 wherein the locations in the queues are sold based at least partially on a repetition rate within the queue of the sold locations.

68. (new) The method of claim 67 wherein the repetition rate is non-linear.

69. (new) The method of claim 60 further comprising:

(f) recording a portion of said programming stream for subsequent playback.

70. (new) The method of claim 69 wherein the unscheduled advertisements are inserted into said programming stream as the stream is being recorded.

71. (new) The method of claim 69 wherein the unscheduled advertisements are inserted into said programming stream when the stream is played back.

72. (new) The method of claim 69 wherein the unscheduled advertisements are inserted into said programming stream between the time the stream is recorded and the time the stream is played back.